

**SUPREME COURT MINUTES
MONDAY, MAY 8, 2000
SAN FRANCISCO, CALIFORNIA**

S061945 Louis E. Potvin, Plaintiff and Appellant,
 v.
 Metropolitan Life Insurance Company, Defendant and Respondent.
 The judgment of the Court of Appeal is affirmed.

Kennard, J.

We Concur:
George, C.J.
Mosk, J.
Werdegar, J.

Dissenting Opinion by Brown, J.

We Concur:
Baxter, J.
Chin, J.

S080201 PLCM Group, Inc., Plaintiff and Respondent.
 v.
 David Drexler, Defendant and Cross-Complainant and Appellant;
 Dearborn Insurance Company et al.,
 Cross-Defendants and Respondents.
 [T]he judgment of the Court of Appeal is affirmed.

Mosk, J.

We Concur:
George, C.J.
Kennard, J.
Baxter, J.
Werdegar, J.
Brown, J.

Concurring and Dissenting Opinion by Chin, J.

2nd Dist. People, Respondent
B132273 v.

Vance Blaine, Appellant

The time for granting or denying review on the court's own motion is hereby extended to and including June 9, 2000, or the date upon which review is either granted or denied. Rule 28(a)(1), California Rules of Court.

2nd Dist. People, Respondent
B134860 v.

Donald Ray Hill, Appellant

The time for granting or denying review on the court's own motion is hereby extended to and including June 15, 2000, or the date upon which review is either granted or denied. Rule 28(a)(1), California Rules of Court.

4th Dist. People, Plaintiff and Respondent
D031867 v.

Greg Jennings, Defendant and Appellant

The time for granting or denying review on the court's own motion is hereby extended to and including June 8, 2000, or the date upon which review is either granted or denied. Rule 28(a)(1), California Rules of Court.

Orders were filed in the following matters extending the time within which to grant or deny a petition for review to and including the date indicated, or until review is either granted or denied:

B125337/S086469 People v. Claude Ross – June 7, 2000.

B127308/S086601 People v. Lawrence Slaughter – June 8, 2000.

B138778/S086903 Philip Walker Rosati v. Los Angeles County Superior Court;
People, RPI – June 8, 2000.

F028857/S086568 People v. Abran Singh – June 7, 2000.

S009169 People, Respondent

v.

Martin James Kipp, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's reply brief is extended to and including July 3, 2000.

S015384 People, Respondent

v.

Richard Lacy Letner and Christopher Allan Tobin, Appellants

On application of appellant Christopher Allan Tobin and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including July 7, 2000.

S019798 People, Respondent

v.

Christopher Clark Box, Appellant

The application of respondent for an extension of time to file a response to appellant's supplemental opening brief is granted. The brief shall be served and filed in the San Francisco clerk's office on or before May 24, 2000. Any reply shall be served and filed in the San Francisco clerk's office on or before May 31, 2000.

S025121 People, Respondent

v.

Robert Clarence Taylor, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's reply brief is extended to and including June 23, 2000.

S026040 People, Respondent

v.

Richard J. Vieira, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including July 14, 2000.

S026872 People, Respondent

v.

Alfredo Reyes Valdez, Appellant

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to and including June 5, 2000.

S046848 People, Respondent

v.

Kerry Lynn Dalton, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including July 5, 2000, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S049743 People, Respondent

v.

Caroline Young, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including July 5, 2000, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S052374 People, Respondent

v.

Steven Allen Brown, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including July 3, 2000, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

No further extensions of time are contemplated.

S055415 People, Respondent

v.

Robert Wesley Cowan, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including July 5, 2000, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S058157 People, Respondent

v.

Michael Nevail Pearson, Appellant

On application of appellant and good cause appearing, it is ordered that the appellant is granted to and including July 25, 2000, to request correction of the record on appeal. Counsel for appellant is ordered to notify the Clerk of the Supreme Court in writing as soon as the act as to which the Court has granted an extension of time has been completed.

S085899 Clarence Albertson, Petitioner

v.

Ventura County Superior Court, Respondent

People, Real Party in Interest

On application of real party in interest and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to and including June 27, 2000.

S078564 People, Respondent

v.

Darien Andre Valentine, Appellant

Upon request of appellant for appointment of counsel, David Morse is hereby appointed to represent appellant on his appeal now pending in this court.

S085498 People, Respondent

v.

Anthony F. Dacayana, Appellant

Upon request of appellant for appointment of counsel, Jean Matulis is hereby appointed to represent appellant on his appeal now pending in this court.

S073756 In re Attorney Discipline System

In conformance with Rule 963, subdivision (c), of the Rules of Court, and our order of December 3, 1998, appointing Elwood Lui as “special master to supervise and oversee the collection, disbursement, and allocation of fees mandated by rule 963,” the special master has submitted a bill to the court for his reasonable fees and expenses incurred between January 1, 2000, and March 31, 2000, in performing the duties with which he has been charged. (See *In re Attorney Discipline System* (1998) 19 Cal.4th 582, 623-625.) During this quarter, Justice Lui prepared and submitted to the court his final report and recommendations concerning the State Bar of California’s disciplinary system.

Having considered and reviewed the submission from the special master, the court hereby makes the following order:

The State Bar of California shall pay to the Honorable Elwood Lui, special master, the sum of \$65,331.25 for fees and \$2,923.05 for expenses, for a total of \$68,254.30, from the balance of the funds remaining in the Special Master’s Attorney Discipline Fund and transferred to the State Bar pursuant to the court’s order of April 19, 2000.

S086133 In re **Ralph S. Branscomb** on Discipline

It is ordered that **Ralph S. Branscomb, State Bar No. 53209**, be suspended from the practice of law for six months and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct, that execution of suspension be stayed, and that he be placed on probation for three years subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed January 20, 2000. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

S086200 In re **Elveta Louise Francis** on Discipline

It is ordered that **Elveta Louise Francis, State Bar No. 93320**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that she be placed on probation for two years on condition that she be actually suspended for 60 days.

Elveta Louise Francis is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed January 13, 2000. It is further ordered that she take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

S086201 In re **Michael B. Spizer** on Discipline

It is ordered that **Michael B. Spizer, State Bar No. 35211**, be suspended from the practice of law for one year, that execution of suspension be stayed; and that he be placed on probation for three years on condition that he be actually suspended for 90 days. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed January 12, 2000, as modified by its order filed February 3, 2000. He is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in equal amounts prior to February 1 of calendar years 2000, 2001 and 2002.

*See Business & Professions Code, § 6126, subdivision (c).

S086202 In re **Stanley A. Grumet** on Discipline

It is hereby ordered that **Stanley A. Grumet, State Bar No. 95227**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. He is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*See Business & Professions Code, § 6126, subdivision (c).

S086203 In re **Dennis R. Constant** on Discipline

It is ordered that **Dennis R. Constant, State Bar No. 85119**, be suspended from the practice of law for 30 days, that execution of suspension be stayed, and that he be placed on probation for one year subject to the conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed January 7, 2000. It is further ordered that respondent take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

S086263 In re **Janice G. Colombo** on Discipline

It is hereby ordered that **Janice G. Colombo**, member number 118864, be summarily disbarred from the practice of law and that her name be stricken from the roll of attorneys. She is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar.

*See Business & Professions Code, § 6126, subdivision (c).

S086322 In re **John David Randolph** on Discipline

It is ordered that **John David Randolph, State Bar No. 87613**, be suspended from the practice of law for one year, that execution of suspension be stayed, and that he be placed on probation for one year on condition that he be actually suspended for 30 days. The period of stayed suspension and probation shall be consecutive to the period of probation imposed on S057171. **John David Randolph** is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed January 18, 2000. Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

S086323 In re **Arthur F. Silber** on Discipline

It is ordered that **Arthur F. Silber, State Bar No. 130768**, be suspended from the practice of law for four years and until he has shown proof satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law pursuant to standard 1.4(c)(ii), Standards for Attorney Sanctions for Professional Misconduct; and until he provides to the State Bar Probation Unit an affidavit or declaration as set forth in the order approving stipulation filed January 19, 2000; that execution of suspension be stayed; and that he be placed on probation for three years on condition that he be actually suspended for one year and until he complies with standard 1.4(c)(ii) and provides an affidavit or declaration as set forth above. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its order approving stipulation filed January 19, 2000. It is further that respondent take and pass the Multistate Professional Responsibility Examination during the period of his actual suspension. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) He is also ordered to comply with rule 955, California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in equal amounts prior to February 1 of calendar years 2001, 2002 and 2003.

*See Business & Professions Code, § 6126, subdivision (c).

S086383 In re **Joseph Trenk** on Discipline

It is ordered that **Joseph Trenk, State Bar No. 101459**, be suspended from the practice of law for two years; that execution of suspension be stayed; and that he be placed on probation for two years on condition that he be actually suspended for 30 days and until he attends six hours of MCLE-approved courses in law office management; and until he attends six hours of MCLE-approved courses in attorney-client relations and/or legal ethics; and until he attends State Bar Ethics School and provides satisfactory proof thereof to the State Bar Probation Unit. Respondent is also ordered to comply with the other conditions of probation recommended by the Hearing Department of the State Bar Court in its decision filed January 24, 2000. If the period of actual suspension is two years or greater, he shall remain suspended until he has shown proof

satisfactory to the State Bar Court of his rehabilitation, fitness to practice and learning and ability in the general law. If the period of his actual suspension exceeds 90 days, it is also ordered that he comply with rule 955, California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 120 and 130 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar pursuant to Business and Professions Code section 6086.10 and payable in accordance with Business and Professions Code section 6140.7.

*See Business & Professions Code, § 6126, subdivision (c).

- S086384 In re **Padgett Coventry Price** on Discipline
 It is hereby ordered that **Padgett Coventry Price** be summarily disbarred from the practice of law and that her name be stricken from the roll of attorneys. Costs are awarded to the State Bar.
- S087990 In the Matter of the Resignation of **William Benjamin Wolfson**
 A Member of the State Bar of California
 The voluntary resignation of **William Benjamin Wolfson, State Bar No. 30761**, as a member of the State Bar of California is accepted.
- S087992 In the Matter of the Resignation of **Stephanie Gale Rubin**
 A Member of the State Bar of California
 The voluntary resignation of **Stephanie Gale Rubin, State Bar No. 138863**, as a member of the State Bar of California is accepted.
- S087994 In the Matter of the Resignation of **Nancy Kolodny Weiner**
 A Member of the State Bar of California
 The voluntary resignation of **Nancy Kolodny Weiner, State Bar No. 50923**, as a member of the State Bar of California is accepted.